



Baker & McKenzie LLP

452 Fifth Avenue  
New York, NY 10018  
United States

Tel: +1 212 626 4100  
Fax: +1 212 310 1600  
www.bakermckenzie.com

**Asia Pacific**

Bangkok  
Beijing  
Brisbane  
Hanoi  
Ho Chi Minh City  
Hong Kong  
Jakarta  
Kuala Lumpur\*  
Manila\*  
Melbourne  
Seoul  
Shanghai  
Singapore  
Sydney  
Taipei  
Tokyo  
Yangon

**Europe, Middle East  
& Africa**

Abu Dhabi  
Almaty  
Amsterdam  
Antwerp  
Bahrain  
Barcelona  
Berlin  
Brussels  
Budapest  
Cairo  
Casablanca  
Doha  
Dubai  
Dusseldorf  
Frankfurt/Main  
Geneva  
Istanbul  
Jeddah\*  
Johannesburg  
Kyiv  
London  
Luxembourg  
Madrid  
Milan  
Moscow  
Munich  
Paris  
Prague  
Riyadh\*  
Rome  
St. Petersburg  
Stockholm  
Vienna  
Warsaw  
Zurich

**The Americas**

Bogota  
Brasilia\*\*  
Buenos Aires  
Caracas  
Chicago  
Dallas  
Guadalajara  
Houston  
Juarez  
Lima  
Los Angeles  
Mexico City  
Miami  
Monterrey  
New York  
Palo Alto  
Porto Alegre\*\*  
Rio de Janeiro\*\*  
San Francisco  
Santiago  
Sao Paulo\*\*  
Tijuana  
Toronto  
Valencia  
Washington, DC

\* Associated Firm  
\*\* In cooperation with  
Trench, Rossi e Watanabe  
Advogados

December 10, 2021

The Honorable Katherine Polk Failla  
United States District Judge  
Southern District of New York  
40 Foley Square  
Courtroom 618  
New York, NY 10007

Via ECF

**MEMO ENDORSED**

**Re: *In re Application of Makhpal Karibzhanova for Judicial Assistance Pursuant to 28 U.S.C. § 1782*, Case No. 21-mc-00442-KPF**

Dear Judge Failla,

We represent Vladislav Kim, proposed intervenor, in the above-referenced case. We write in response to (i) the December 10, 2021 Letter Motion to Stay [ECF 63] filed by proposed intervenor Aidan Karibzhanov, with proposed protective order [ECF 63-1] (the "*Aidan P.O.*"); and (ii) the December 10, 2021 Letter Motion to Stay [ECF 64] filed by applicant Makhpal Karibzhanova, with proposed protective order [ECF 64-1] (the "*Makhpal P.O.*").

We have reviewed both the Aidan P.O. and the Makhpal P.O. and wish to advise the Court that Mr. Kim supports both forms of protective order.

Respectfully submitted,

L. Andrew S. Riccio  
Partner

+1 212 626 4229  
Andrew.Riccio@bakermckenzie.com

Terence Gilroy  
Partner

+1 212 626 4724  
Terence.Gilroy@bakermckenzie.com

cc: All counsel of record (via ECF)

The Court is in receipt of (i) Vladislav' Kim's above letter; (ii) Makhpal Karibzhanova's December 10, 2021 letter and proposed protective order (Dkt. #64); and (iii) Aidan Karibzhanov's December 10, 2021 letter and proposed protective order (Dkt. #63).

After reviewing the parties' submissions, the Court finds that Makhpal Karibzhanova's proposed protective order best accords with the Court's understanding of the status of this matter. (See Dkt. #62). The Court agrees with Ms. Karibzhanova that it is unnecessary for the protective order to opine on the merits of her domestic or foreign claims. Indeed, as discussed at length at the December 6, 2021 conference, the Court has stayed this case and its resolution of the putative intervenors' motions precisely so that Ms. Karibzhanova and Mr. Karibzhanov can explore whether to mediate their dispute and thus obviate the need for this proceeding. (See Minute Entry for December 6, 2021).

Accordingly, the Court will issue Ms. Karibzhanova's proposed protective order under separate cover. The Court reminds the parties that they are to update the Court as soon as possible in the event that it becomes necessary to reopen this proceeding.

The Clerk of Court is directed to terminate the motions at docket entries 59, 60, 63, and 64.

Dated: December 13, 2021  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE